

Message Text

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ORIGIN EB-07

INFO OCT-01 AF-10 ARA-10 EA-09 EUR-12 NEA-10 SIG-02
FEA-01 AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00
FRB-01 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00
NSC-05 PA-02 EPG-02 AID-05 SS-15 STR-04 ITC-01
TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 IO-13 GSA-02
ISO-00 /153 R

DRAFTED BY EB/OT/STA:GWHITE:MH
APPROVED BY EB/OT/STA:TO'HERRON
EB/ORF/ISM:SHAAS
TREAS:SSOMMERFIELD
TREAS:FVUKMANIC
EUR/RPE:ECASEY

-----151319Z 010467 /45

P 150423Z MAY 77
FM SECSTATE WASHDC
TO USMISSION EC BRUSSELS PRIORITY
AMEMBASSY COPENHAGEN PRIORITY
AMEMBASSY BRUSSELS PRIORITY
AMEMBASSY PARIS PRIORITY
AMEMBASSY BONN PRIORITY
AMEMBASSY LUXEMBOURG PRIORITY
AMEMBASSY ROME PRIORITY
AMEMBASSY DUBLIN PRIORITY
AMEMBASSY BERN PRIORITY
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AMEMBASSY STOCKHOLM PRIORITY
AMEMBASSY TOKYO PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY OTTAWA PRIORITY
AMEMBASSY SEOUL PRIORITY
AMEMBASSY VIENNA PRIORITY
AMEMBASSY PRETORIA PRIORITY
AMCONSUL CAPE TOWN PRIORITY
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AMCONSUL JOHANNESBURG PRIORITY
AMEMBASSY BRASILIA PRIORITY
AMEMBASSY BELGRADE PRIORITY
AMEMBASSY OSLO PRIORITY
AMEMBASSY ANKARA PRIORITY
AMCONSUL MADRAS PRIORITY

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: RHODESIAN CHROME

REF: STATE 104079

1. THE FOLLOWING IS THE TEXT OF PUBLIC LAW 95-12 WHICH AMENDED THE UNITED NATIONS PARTICIPATION ACT TO HALT THE IMPORTATION OF RHODESIAN CHROME. PURSUANT TO THIS LAW TREASURY PROMULGATED REGULATIONS REQUIRING THE CERTIFICATION OF IMPORTS OF FERROCHROME, AND CHROME-BEARING STEEL PRODUCTS TO ASSURE THAT THEY DO NOT CONTAIN RHODESIAN CHROME. BEGIN TEXT: BE IT ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, THAT SECTION 5 OF THE UNITED NATIONS PARTICIPATION ACT OF 1945 (22 U.S.C. 287C) IS AMENDED--

(1) BY ADDING AT THE END OF SUBSECTION (A) THE FOLLOWING NEW SENTENCES: "ANY EXECUTIVE ORDER WHICH IS ISSUED UNDER THIS SUBSECTION AND WHICH APPLIES MEASURES AGAINST SOUTHERN RHODESIA PURSUANT TO ANY UNITED NATIONS SECURITY COUNCIL RESOLUTION MAY BE ENFORCED, NOTWITHSTANDING THE PROVISIONS OF ANY OTHER LAW. THE PRESIDENT MAY EXEMPT FROM SUCH EXECUTIVE ORDER ANY SHIPMENT OF CHROMIUM IN ANY FORM WHICH IS IN TRANSIT TO THE UNITED STATES ON THE DATE UNCLASSIFIED

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OF ENACTMENT OF THIS SENTENCE."; AND

(2) BY ADDING AT THE END THEREOF THE FOLLOWING NEW SUBSECTION: "(C) (1) DURING THE PERIOD IN WHICH MEASURES ARE APPLIED AGAINST SOUTHERN RHODESIA UNDER SUBSECTION (A) PURSUANT TO ANY UNITED NATIONS SECURITY COUNCIL RESOLUTION, A SHIPMENT OF ANY STEEL MILL PRODUCT (AS SUCH PRODUCT MAY BE DEFINED BY THE SECRETARY) CONTAINING CHROMIUM IN ANY FORM MAY NOT BE RELEASED FROM CUSTOMS CUSTODY FOR ENTRY INTO THE UNITED STATES IF--

"(A) A CERTIFICATE OF ORIGIN WITH RESPECT TO SUCH SHIPMENT HAS NOT BEEN FILED WITH THE SECRETARY; OR

"(B) IN THE CASE OF A SHIPMENT WITH RESPECT TO WHICH A CERTIFICATE OF ORIGIN HAS BEEN FILED WITH THE SECRETARY, THE SECRETARY DETERMINES THAT THE INFORMATION CONTAINED IN SUCH CERTIFICATE DOES NOT ADEQUATELY ESTABLISH THAT THE STEEL MILL PRODUCT IN SUCH SHIPMENT DOES NOT CONTAIN CHROMIUM IN ANY FORM WHICH IS OF SOUTHERN RHODESIAN ORIGIN: UNLESS SUCH RELEASE IS AUTHORIZED BY THE SECRETARY UNDER PARAGRAPH (3) (B) OR (C).

"(2) THE SECRETARY SHALL PRESCRIBE REGULATIONS FOR CARRYING OUT THIS SUBSECTION.

"(3) (A) IN CARRYING OUT THIS SUBSECTION THE SECRETARY MAY ISSUE SUBPENAS REQUIRING THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF EVIDENCE. ANY SUCH SUBPENA MAY, UPON APPLICATION BY THE SECRETARY, BE ENFORCED IN A CIVIL ACTION IN AN APPROPRIATE UNITED STATES DISTRICT COURT.

"(B) THE SECRETARY MAY EXEMPT FROM THE CERTIFICATION REQUIREMENTS OF THIS SUBSECTION ANY SHIPMENT OF A STEEL MILL PRODUCT CONTAINING CHROMIUM IN ANY FORM WHICH IS IN TRANSIT TO THE UNITED STATES ON THE DATE OF ENACTMENT OF THIS SUBSECTION.

"(C) UNDER SUCH CIRCUMSTANCES AS HE DEEMS APPROPRIATE, THE SECRETARY MAY RELEASE FROM CUSTOMS CUSTODY FOR ENTRY INTO THE UNITED STATES, UNDER SUCH BOND AS HE MAY REQUIRE, ANY SHIPMENT OF A STEEL MILL PRODUCT CONTAINING UNCLASSIFIED

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CHROMIUM IN ANY FORM.

"(4) AS USED IN THIS SUBSECTION--

"(A) THE TERM 'CERTIFICATE OF ORIGIN' MEANS SUCH CERTIFICATE AS THE SECRETARY MAY REQUIRE, WITH RESPECT TO A SHIPMENT OF ANY STEEL MILL PRODUCT CONTAINING CHROMIUM IN ANY FORM, ISSUED BY THE GOVERNMENT (OR BY A DESIGNEE OF SUCH GOVERNMENT IF THE SECRETARY IS SATISFIED THAT SUCH DESIGNEE IS THE HIGHEST AVAILABLE CERTIFYING AUTHORITY) OF THE COUNTRY IN WHICH SUCH STEEL MILL PRODUCT WAS PRODUCED CERTIFYING THAT THE STEEL MILL PRODUCT IN SUCH SHIPMENT CONTAINS NO CHROMIUM IN ANY FORM WHICH IS OF SOUTHERN RHODESIAN ORIGIN; AND

"(B) THE TERM 'SECRETARY' MEANS THE SECRETARY OF THE TREASURY."

SEC. 2. (A) UPON THE ENACTMENT OF THIS ACT, THE PRESIDENT MAY SUSPEND THE OPERATION OF THE AMENDMENTS CONTAINED IN THIS ACT IF HE DETERMINES THAT SUCH SUSPENSION WOULD ENCOURAGE MEANINGFUL NEGOTIATIONS AND FURTHER THE PEACEFUL TRANSFER OF GOVERNING POWER FROM MINORITY RULE TO MAJORITY RULE IN SOUTHERN RHODESIA. SUCH SUSPENSION SHALL REMAIN IN EFFECT FOR SUCH DURATION AS DEEMED NECESSARY BY THE PRESIDENT.

(B) IF THE PRESIDENT SUSPENDS THE OPERATION OF THE AMENDMENTS CONTAINED IN THIS ACT, HE SHALL SO REPORT TO THE CONGRESS. IN ADDITION, THE PRESIDENT SHALL REPORT TO THE CONGRESS WHEN HE TERMINATES SUCH SUSPENSION.

(C) IF THE PRESIDENT SUSPENDS THE OPERATION OF THE AMENDMENTS CONTAINED IN THIS ACT, ANY REFERENCE IN THOSE AMENDMENTS TO DATE OF ENACTMENT SHALL BE DEEMED TO BE A REFERENCE TO THE DATE ON WHICH SUCH SUSPENSION IS

TERMINATED BY THE PRESIDENT.

APPROVED MARCH 18, 1977. END TEXT.

2. DEPARTMENT WILL POUCH TEXT OF INITIAL REGULATIONS.

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INITIAL REGULATIONS WERE AMENDED BY INTERIM PROCEDURES
ANNOUNCED MAY 6 (REFTEL) WHICH WILL BE IN FORCE UNTIL
JUNE 18, 1977.

3. TREASURY IS VERY AWARE OF THE PROBLEMS FOR FOREIGN
GOVERNMENTS CAUSED BY THE IMPLEMENTATION OF THIS LAW
AND IS SEEKING TO DEVELOP CERTIFICATION PROCEDURES WHICH
WILL TAKE THESE CONCERNS INTO ACCOUNT WHILE COMPLYING
WITH THE LAW. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: STEEL, AMENDMENTS, CHROMIUM, IMPORT CONTROLS, SANCTIONS
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Sent Date: 15-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: GWHITE:MH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770172-0619
Format: TEL
From: STATE
Handling Restrictions: n/a
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Litigation History:
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Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
Reference: 77 STATE 104079
Retention: 0
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2515032
Secure: OPEN
Status: NATIVE
Subject: RHODESIAN CHROME
TAGS: ETRD, RH, US, UN
To: EC BRUSSELS COPENHAGEN MULTIPLE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/8a3f4693-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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22 May 2009
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